With the above amendment, Applicants have corrected the misspelling of the words "metabisulfite" and "cysteine" in claim 8. Support for this amendment is in the specification as filed, especially in Example 13 at page 12 and Example 26 at page 15, and would be readily apparent to one of ordinary skill in the art.

Attached hereto is a marked-up version of the changes made to claim 8 by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE". Subject matter that has been deleted has been struck through and subject matter that has been added has been underlined. No new matter is added to this application with the above amendment and its entry is respectfully requested.

The Examiner acknowledged receipt of the Supplemental Information Disclosure Statement, filed with the Applicants' last response, and enclosed a copy of Form PTO-FB-A820, as initialed by the Examiner.

The Examiner did not acknowledge the claim for domestic priority under 35 USC 119(e); however, such a claim was made in the Preliminary Amendment, which was submitted with the filing of the present application. Attached hereto is another copy of this amendment, for the Examiner's reference. Applicants respectfully request that the Examiner acknowledge their request for domestic priority under 35 USC § 119(e) in the next Office Action.

CLAIM REJECTIONS – 35 USC §103

Claims 1, 7-12 and 14-19 have been rejected under 35 USC §103(a) as being unpatentable over Doogan et al. (U.S. 4,962,128) in view of Howard et al. (U.S. 5,597,826), and Pollinger et al. (U.S. 6,136, 347).

The Examiner states that Doogan et al. (U.S. 4,962,128) disclose a pharmaceutical composition containing sertraline hydrochloride (see col. 1, line 68) with a dose from 25 mg to 200 mg for treating anxiety-related disorders (see col. 2, lines 20-23); in addition, oral pharmaceutical formulations can be flavored by means of various agents; the composition contains sertraline or its pharmaceutically acceptable salt, flavoring agents, and diluents such as ethanol, propylene glycol, and glycerin (see from col. 2, line 65 to col. 3, line 2). The Examiner admits that Doogan et al. differ from the instant invention in that 8 to 20% ethanol is in glycerin, the flavoring agent is menthol, the preservative is butylhydroxytoluene, and each ml of the concentrate contains 151 mg of ethanol, 0.5 mg of menthol, 0.1 mg of butylhydroxytoluene, and 1011 mg of glycerin, and pharmacologically acceptable anions include methanesulfonate.

However, Applicants would point out that the Examiner has missed other very important differences between the pharmaceutical formulations described in Doogan et al. and the pharmaceutical formulations disclosed and claimed in the present application. The

pharmaceutical formulations, which Doogan et al. are describing at col. 2, lines 63-64, are "aqueous suspensions and/or elixers [sic]" which are ready-to-use for oral administration. The claims of the present application are directed to pharmaceutical compositions which are essentially nonaqueous, liquid concentrates for oral administration. These concentrates are strong solutions which must be diluted in a suitable diluent or beverage prior to oral administration (see specification at page 6, lines 3-5; and page 8, lines 30-31). Nowhere does the Doogan et al. reference mention or refer to the preparation of liquid concentrate compositions of sertraline, much less essentially nonaqueous liquid concentrate compositions of sertraline, as claimed in the present application.

In fact, in the specification of the present application as filed, Applicants note that the oral concentrate drug products which are known in the art are conventionally aqueous, citing a number of commercially available examples (see specification at page 4, lines 3-14). This fact further emphasizes the non-obvious nature of the essentially nonaqueous liquid concentrate compositions of the present invention and the patentability of such concentrate compositions over the Doogan et al. reference.

The Examiner states that Howard et al. discloses a pharmaceutical composition containing sertraline hydrochloride (see col. 20, line 31) with a dose from 0.1 mg to 200 mg (see col. 24, lines 7-8), suspending agents, non-aqueous vehicles such as ethyl alcohol, and preservatives (see col. 22, lines 51-56); in addition, oral pharmaceutical formulations can be flavored by means of various agents (see col. 23, lines 56-58). Also, the Examiner states that the reference indicates that pharmacologically acceptable anions include methanesulfonate (see col. 20, lines 60-61).

As Applicants have explained in their previous response, the Howard et al. reference is directed to combination pharmaceutical therapy and discloses combination pharmaceutical compositions containing two active ingredients: 1) sertraline, or a pharmaceutically acceptable salt thereof, and 2) a compound of formula I, which is an agonist or antagonist of the serotonin 1 (5-HT_1) receptor. The dose, which the Examiner refers to at col. 24, lines 7-8, of the Howard et al. reference, is for doses of the compound of formula I, and not for sertraline or its salts. Furthermore, the suspending agents, non-aqueous vehicles and preservatives, referred to by the Examiner, are to be included in conventional liquid preparations for the oral administration of the combination of the two active ingredients, as described above, and not for the administration of sertraline or its salts alone. Furthermore, the reference at col. 20, lines 60-61, of the Howard reference to pharmacologically acceptable anions, including methanesulfonate, is to the preparation of salts of the compound of formula I, and not sertraline, which is claimed in claim 11 of the present application.

Thus, for the above reasons, Applicants believe that claims 1, 7-12 and 14-19, as amended, which are directed to pharmaceutical compositions containing one active ingredient, are clearly distinguishable from the Howard et al. reference.

The Examiner continues and states that Pollinger et al. (U.S. 6,136,347) discloses pharmaceutical preparations for masking unpleasant substances in liquid form, which can contain a protective substance such as butylhydroxytoluene for an excipient media (see col. 9, lines 37-38). The Examiner admits that the Pollinger reference is silent concerning the claimed range of ethanol in glycerin. However, the Examiner continues and cites the Johnson reference (Applicants assume the Examiner is referring to EP 0768083 A2, which was referenced in a previous Office Action), stating that Johnson teaches the use of diluents such as ethanol and glycerin. The Examiner also notes that Pollinger et al. discloses liquid auxiliaries such as ethanol, propylene glycol, polyethylene glycol (see col. 8, lines 58-60) which can be employed in an amount of from 5 to 40% (see col. 6, lines 54-56). The Examiner concludes that it would have been obvious for the skillful artisan in the art to have obtained the claimed range of ethanol in glycerin by a routine experimentation on Johnson's ethanol and glycerin with Pollinger et al's parameter so as to form a proper liquid dose.

In reply, Applicants would point out the Johnson reference appears to disclose the same pharmaceutical formulations of sertraline as does the Doogan et al. reference discussed above; the Johnson reference does not add anything further to the art regarding the possible pharmaceutical formulations of sertraline. As we stated above in distinguishing the Doogan et al. reference, nowhere does the Johnson reference disclose or suggest Applicants' nonconventional pharmaceutical compositions of sertraline as an essentially nonaqueous liquid concentrate, having Applicants' unique amount and combination of excipients. The Johnson reference, as did the Doogan et al. reference, has simply listed diluents commonly used in pharmaceutical formulations. Such a listing may make it "obvious to try" these different diluents, but this is not the proper standard for obviousness under 35 USC §103. In particular, courts have admonished that the "explor[ation] of new technology or general approach that seemed to be a promising field of experimentation, where the prior art gave only general guidance as to the particular form of the claimed invention or how to achieve it" is "obvious to try." See, e.g., In re O'Farrell, 7 USPQ2d 1673, 1681 (Fed. Cir. 1988) (citations omitted). The Examiner even admits that the reference is silent as to the claimed range of ethanol in glycerin, as claimed in the present application.

Furthermore, Applicants do not believe that the Pollinger et al. reference makes up for the deficiencies in the disclosure of the Johnson or Doogan et al. references. In fact, the Pollinger et al. reference, in Applicants' opinion, is from a non-analogous art area. In Pollinger et al., the flavor-masking of the pharmaceutical compositions for oral administration

is achieved by microencapsulation of the active ingredient (see col. 1, line 66, to col. 2, line 2). Also, Pollinger et al. state that the microcapsules so prepared can be further formulated to give medicaments and describes possible administration forms for the microcapsules, for example, oily juice formulations or sachets (see col. 8, lines 42-44). Thus, to the extent that BHT is present in the Pollinger et al. formulations, it is used as an antioxidant to protect the oily excipient media in the oily juice formulations of the microcapsules (see col. 9, lines 33-38). Furthermore, the liquid auxiliaries mentioned in the Pollinger et al. reference are to be combined with the oily carriers in the oily juice formulations of the microcapsules (see col. 8, lines 58-62). And finally, the percentage range in Pollinger et al., referred to by the Examiner, is for antiadhesive agents, which may be used to decrease or avoid completely the adhesion or the agglutination of particles during the microencapsulation process (see col. 6, lines 46-56), and are not for the liquid auxiliaries, as indicated by the Examiner.

Thus, for the above reasons, the Pollinger et al. reference, which clearly relates to microencapsulation for masking the taste of offending active ingredients, is not relevant to the present application and should be withdrawn as a reference. Therefore, Applicants do not believe that the Pollinger reference is properly combinable with the other references cited above and would request the withdrawal of this reference in the present rejection.

The Examiner admits that in reference to the flavoring agent being menthol, the reference is silent; however, the Examiner states that Howard et al. does teach that oral pharmaceutical formulations can be flavored by means of various agents (see col. 23, lines 56-58). Therefore, the Examiner concludes that if the skillful artisan in the art had desired to develop a unique menthol taste in the oral pharmaceutical composition containing sertraline hydrochloride, it would have been obvious for the skillful artisan in the art to have selected menthol flavor as the masking agent for the product.

In response, Applicants would again remind the Examiner that the Howard reference describes the preparation of combination pharmaceutical compositions for the administration of the combination of two active ingredients: 1) sertraline, or a pharmaceutically acceptable salt thereof, and 2) a compound of formula I, which is an agonist or antagonist of the serotonin 1 (5-HT_1) receptor. The Howard reference states that such pharmaceuticals can be suitably sweetened and/or flavored by means of various agents of the type commonly employed for such purposes (see col. 23, lines 56-58). However, the use of flavoring agents as proposed by the Examiner, from looking at the Howard et al. reference, simply did not work satisfactorily for the present invention.

As stated in the present specification at page 3, lines 18-23, development of an oral liquid dosage form of sertraline has been complicated by the objectionable bitter taste and astringency sensation imparted by the drug in liquid form. Thus, direct ("ready-to-use") oral

liquid solutions or suspensions of sertraline, such as those described in the prior art, as referenced above, have an objectionable taste, *despite the inclusion of a variety of taste-masking or flavoring agents* (emphasis added). Thus, Applicants have shown that the use of flavoring agents, as suggested by the Examiner, did not work satisfactorily for the present invention, further demonstrating the non-obviousness of the present invention.

The Examiner also admits that with respect to each ml of the concentrate containing 151 mg of ethanol, 0.5 mg of menthol, 0.1 mg of butylhydroxytoluene and 1011 mg of glycerin, the references are silent. However, according to the Examiner, the pharmaceutical oral composition can contain various excipients with varied concentrations so as to meet special needs for the patients' use. Therefore, the Examiner states that the composition of various known excipients do not have any patentable weight in the instant invention in the absence of unexpected results.

In reply, Applicants would point to the present specification, especially page 6, lines 25-31, where they have shown that, in addition to acceptable taste upon administration, the essentially nonaqueous oral concentrate of the present invention has other surprising and unexpected advantages. It provides convenience in measuring different doses, which are needed for certain indications, as well as good physical/chemical stability characteristics throughout the product's shelf-life and use interval. Since the concentrate of the present invention is a solution, it is preferred over a suspension for ease of manufacture and optimal control of dosing homogeneity. Also, it provides for maximum solubilization of the sertraline hydrochloride drug substance (see the specification at page 7, lines 22-24). Thus, Applicants have created a nonconventional pharmaceutical composition which is an essentially nonaqueous liquid concentrate for oral administration, following dilution, having a unique amount and combination of excipients, resulting in surprising and unexpected properties, such as acceptable taste, stability and solubility, not taught or suggested by the prior art. Therefore, Applicants believe that the claims of the present application, as amended, are patentable over the prior art references cited by the Examiner.

Finally, the Examiner concludes that if the skillful artisan in the art had desired to develop a unique oral pharmaceutical composition containing sertraline hydrochloride, claimed various excipients with a menthol flavor, it would have been obvious for the skillful artisan in the art to have used Johnson's diluents such as ethanol and glycerin and Pollinger et al.'s butylhydroxytoluene preservative in Howard et al.'s oral pharmaceutical formulation so as to obtain an idealistic liquid product.

As explained above, Applicants believe that there are many reasons why the present invention is distinguishable from the references cited above, including the Doogan et al. reference which was not mentioned in the immediately preceding sentence. In addition, in

combining these references and making this rejection, the Examiner has relied on impermissible hindsight reconstruction and has, in effect, used Applicants' own invention against them. In making the above rejection, the Examiner has had to "pick and choose" different elements from the above references and then pieced them together in order to achieve Applicants' invention. This is the essence of impermissible hindsight reconstruction.

The Federal Circuit has warned against doing this especially "in the case of less technologically complex inventions, where the very ease with which the invention can be understood may prompt one to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher." (quoting from In re Dembiczak, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999)).

Furthermore, the Federal Circuit has stated that the best defense against doing this is to insist on a rigorous application of the requirement for motivation:

"Our case law makes clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement of a showing of the teaching or motivation to combine prior art references. . . . Combining prior art references without evidence of such a suggestion, teaching or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability – the essence of hindsight." (again quoting from In re Dembiczak, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999)).

In the absence of Applicants' own disclosure, Applicants would assert that the Examiner has not supplied the requisite suggestion, teaching or motivation to combine the above cited references in order to achieve the nonconventional, essentially nonaqueous oral concentrate of the present invention having the unique amounts and combination of excipients. Applicants have clearly distinguished these references from the present invention, including showing that one reference is from a non-analogous art area and not properly combinable with the other references. Furthermore, nowhere do these references teach or suggest Applicants' nonconventional pharmaceutical compositions having the combination of excipients needed to achieve the desired product with the unexpected and advantageous properties described in the present specification. Thus, Applicants believe that claims 1, 7-12 and 14-19, as amended, are patentable over the Doogan et al. reference, the Howard et al. reference, the Johnson reference and the Pollinger et al. reference, either singly or in combination, and request that the rejection of these claims under 35 USC §103 be withdrawn.

Also, attached hereto for the Examiner's reference is a copy of the positive Preliminary Examination Report, which Applicants received from the European Patent Office

in the corresponding International (PCT) application, for the pharmaceutical compositions claims and their use. The Examiner found that the claims relating to the pharmaceutical composition and its use in order to prepare an aqueous solution seem to be novel and inventive since there is no pointer in the prior art to the solution of the technical problem of finding oral pharmaceutical compositions of sertraline having acceptable taste and good control of dosing homogeneity. The Examiner found that since the composition of the present application is a liquid concentrate where an aqueous solution can be prepared from it, it is preferred over an aqueous suspension as the one mentioned in the prior art. Applicants would request that the Examiner consider these findings of the European Examiner as persuasive authority for the patentability of the claims of the present application.

On the basis of the above amendments and remarks, Applicants respectfully request reconsideration of this application, as amended, and the early allowance of all the claims, including claims 1, 7-12 and 14-19, as amended.

Respectfully submitted,

Date: 1 May 2002

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Attachments:
Petition for Extension of Time
Claims: Version with Markings to Show Changes Made
Copy of Preliminary Amendment dated October 11, 1999
Copy of International Preliminary Examination Report

ATTACHMENT

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 8 has been amended as follows:

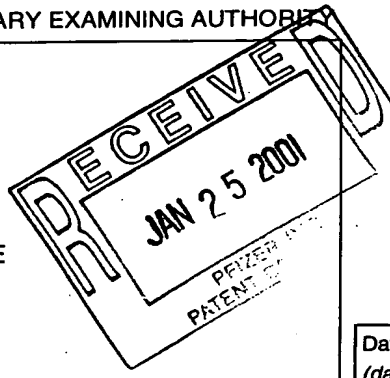
8. (Amended) The composition of claim 7 wherein the flavoring agents are selected from the group consisting of peppermint, spearmint and menthol; and wherein the preservatives are selected from the group consisting of butylhydroxytoluene, butylated hydroxyanisole, propyl gallate, ascorbic acid, ascorbyl palmitate, sodium ~~metabisulite~~ metabisulfite, sodium bisulfite, sodium thiosulfate, sodium hydroxide, ~~cystiene~~ cysteine, ethylenediamine tetraacetic acid or salts thereof, citric acid, triethanolamine, thioglycerol, methylparaben and propylparaben.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

SPIEGEL, Allen J.
Pfizer Inc.
235 East 42nd Street
New York, NY 10017
ETATS-UNIS D'AMERIQUE



PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Rule 71.1)

Date of mailing *(day/month/year)*	18.01.2001
Applicant's or agent's file reference: PC10139AMAG	**IMPORTANT NOTIFICATION**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/IB99/01571	22/09/1999	13/10/1998

Applicant
PFIZER PRODUCTS INC. et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing addr ss of the IPEA/	Authorized officer
European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Hundt, D Tel.+49 89 2399-8042

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
PC10139AMAG		
International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/IB99/01571	22/09/1999	13/10/1998
International Patent Classification (IPC) or national classification and IPC A61K31/135		
Applicant PFIZER PRODUCTS INC. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

   These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

   - I ☒ Basis of the report
   - II ☐ Priority
   - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
   - IV ☐ Lack of unity of invention
   - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations suporting such statement
   - VI ☒ Certain documents cited
   - VII ☐ Certain defects in the international application
   - VIII ☒ Certain observations on the international application

Date of submission of the demand	Date of completion of this report
10/01/2000	18.01.2001
Name and mailing address of th international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Markopoulos, E T lephone No. +49 89 2399 8658

Form PCT/IPEA/409 (cover she t) (January 1994)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB99/01571

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).)*:
Description, pages:

1-16 as originally filed

Claims, No.:

1-13 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-13
	No:	Claims	-
Inventive step (IS)	Yes:	Claims	1-9, 11-13
	No:	Claims	10
Industrial applicability (IA)	Yes:	Claims	1-13
	No:	Claims	-

2. Citations and explanations
see separate sheet

VI. Certain documents cited

1. Certain published documents (Rule 70.10)

and / or

2. Non-written disclosures (Rule 70.9)

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following document:
   D1: EP-A-0 030 081 (PFIZER) 10 June 1981 (1981-06-10) cited in the application

2. The independent claims 1 and 11 relating to a pharmaceutical composition and its use in order to prepare an aqueous solution seem to be novel and inventive since there is no pointer in the prior art to the solution of the technical problem of finding oral pharmaceutical compositions of sertraline having acceptable taste and good control of dosing homogeneity. Since the composition of the present application is a liquid concentrate where an aqueous solution can be prepared from it is preferred over an aqueous suspension as the one mentioned in e.g. D1.
Claims 2-9 and 12-13 are dependent on claims 1 and 11 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

3. Regarding independent claim 10, D1 discloses derivatives of cis-4-phenyl-1,2,3,4-tetrahydro-1-naphtalenamine, their pharmaceutically acceptable acid addition salts, and pharmaceutical compositions therof whereby the production of sertraline is described in example 2, page 19. Since the methanesulfonate salt of sertraline is not specifically disclosed, claim 10 can be regarded as novel according to Art. 33(2) PCT.
The solution proposed in claim 10 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons:
Although the description states favorable properties for the methanesulfonate salt, the hydrochloride salt is explicitely preferred (p. 7, l. 2-3) in the liquid concentrate. Therefore, there seems to exist no advantage of using the methanesulfonate salt instead of the hydrochloride salt in the claimed concentrate, i.e. in conjunction with the claimed concentrate the cited favorable properties of the methanesulfonate salt seem to be of no importance, otherwise it would have been preferred.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT - SEPARATE SHEET

International application No. PCT/IB99/01571

Re Item VI
Certain documents cited

Certain published documents (Rule 70.10)

Application No Patent No	Publication date *(day/month/year)*	Filing date *(day/month/year)*	Priority date *(valid claim)* *(day/month/year)*
WO 99 01113 A	14 January 1999	16 June 1998	1 July 1997

Re Item VIII
Certain observations on the international application

Claim 7 does not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined, namely concerning the words "metabisulite" (probably metabisulfite) and "cystiene".